

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

John S. HENDRICKS, et al.

Confirmation No.: 7434

**Application No.:** 

09/396.429

Examiner:

A. Koenig

Filing Date:

September 15, 1999

**Group Art Unit:** 

2611

Title:

**TELEVISION TERMINAL MODEM** 

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**Commissioner for Patents** 

P.O. Box 1450

Alexandria, VA 22313-1450

AUG 0 9 2004

Technology Center 2600

## NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, <u>February 13, 2004</u>, rejecting the following claims <u>1, 3-16, 18-32 and 34-59</u>. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$330.00.

## (complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

$\boxtimes$	(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.1) total number of months checked below:			CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the
			one month	\$110.00
			two months	\$420.00
		$\boxtimes$	three months	\$950.00
			four months	\$1,480.00
		The extension fee has already been filed in this application		
	(b)	Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.		

Authorization to charge the fee required by 37 CFR 1.17(b) to Deposit Account No. 50-2849 appears in the accompanying transmittal letter. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account No. 50-2849 pursuant to 37 CFR 1.25. A duplicate copy of this sheet is enclosed.

08/05/2004 CCHAU1

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Date: August 4, 2004

Respectfully submitted,